



City of Seattle

Gregory J. Nickels, Mayor
Department of Planning and Development
D. M. Sugimura, Director

**CITY OF SEATTLE
ANALYSIS AND DECISION OF THE DIRECTOR
OF THE DEPARTMENT OF PLANNING AND DEVELOPMENT**

Application Number: 3004502
Applicant Name : Miklos Kohary
Address of Proposal: 12337 10th Place NE

SUMMARY OF PROPOSED ACTION

Land Use Application to construct two, 3-unit townhouse and one single-family residence in an environmentally critical area. Parking for seven vehicles to be provided within the structures. The existing multifamily structure is to be demolished.

The following approval is required:

SEPA Environmental Determination – Chapter 25.05, Seattle Municipal Code.

SEPA DETERMINATION: ☐ Exempt ☐ DNS ☐ MDNS ☐ EIS

☒ DNS with conditions

☐ DNS involving non-exempt grading or demolition,
or involving another agency with jurisdiction.

BACKGROUND DATA

Zoning: Residential Multifamily Lowrise 2 (L-2)

Date of Site Visit: May 8, 2006

Uses on Site: One multifamily, triplex housing unit.

Substantive Site Characteristics:

This 12,250 square foot subject site is a relatively rectangular lot that fronts on 10th Place NE to the southeast. Its general location is south of NE 125th Street and north of NE 123rd Street. The surrounding zoning on the same block face is Residential Multifamily Lowrise 2 (L-2), and the area adjacent to the west is zoned Residential Multifamily Lowrise 3 (L-3). The area adjacent to the east is zoned Residential Single-family 7200 (SF7200). The uses in the area include a combination of single-family and multiple-family residences.

The site is characterized by a sloped topography, and it slopes downward generally from west to east. The environmental checklist states that there is an approximate 15% slope on the eastern two-thirds of the property, and an approximate 45% slope on the western third of the property. There are trees located on the western and northern areas of the subject site. The site is located in a mapped environmentally critical area.

Proposal Description:

The applicant proposes to demolish the existing multifamily housing structure and construct two, 3-unit townhouse and one single-family residence. Seven parking stalls will be provided within the buildings. The two, 3-unit townhouses are proposed to be located on the northern portion of the subject property and the single-family residence will be on the southern area of the site with street frontage on 10th Place NE. Vehicular access to all units will be provided via an easement off of 10th Place NE. Street improvements will be made to 10th Place NE pursuant to Land Use Code requirements.

Public Comment:

The comment period for this proposal ended on May 31, 2006. During this period, no written comment letters related to this project were received.

ANALYSIS - SEPA

Environmental review resulting in a Threshold Determination is required pursuant to the State Environmental Policy Act (SEPA), WAC 197-11, and the Seattle SEPA Ordinance (Seattle Municipal Code Chapter 25.05). The initial disclosure of the potential impacts from this project was made in the environmental checklist submitted by the applicant dated April 2, 2006. In addition, a geotechnical report dated February 19, 2006 was also provided. The information in the checklist, geotechnical report, project plans, and the experience of the lead agency with review of similar projects form the basis for this analysis and decision.

The SEPA Overview Policy (SMC 25.05.665 D) clarifies the relationship between codes, policies, and environmental review. Specific policies for each element of the environment, certain neighborhood plans, and other policies explicitly referenced may serve as the basis for exercising substantive SEPA authority.

The Overview Policy states, in part: “*Where City regulations have been adopted to address an environmental impact, it shall be presumed that such regulations are adequate to achieve sufficient mitigation,*” subject to some limitations. Under certain limitations or circumstances (SMC 25.05.665 D 1-7), mitigation can be considered. A more detailed discussion of some of the potential impacts from this short plat follows.

Short-Term Impacts

The following temporary or construction-related impacts are expected: decreased air quality due to suspended particulate from building activities and hydrocarbon emissions from construction vehicles and equipment; increased traffic and demand for parking from construction equipment and personnel; increased noise; and consumption of renewable and non-renewable resources.

Several construction-related impacts are mitigated by existing City codes and ordinances applicable to the project, such as: the Noise Ordinance, the Critical Areas Ordinance, the Stormwater Grading and Drainage Control Code, the Street Use Ordinance, and the Building Code.

Long-Term Impacts

Long-term or use-related impacts include increased surface water runoff from greater site coverage by impervious surfaces; increased bulk and scale on the site; increased demand on public services and utilities; increased light and glare; loss of vegetation; and increased energy consumption. These long-term impacts are not considered significant because the impacts are minor in scope.

The long-term impacts are typical of multifamily residences and will be mitigated by the City’s adopted codes and/or ordinances. Specifically these include: the Stormwater, Grading, and Drainage Control Code (stormwater runoff from additional site coverage by impervious surface); the Land Use Code (minimum lot area, vehicle access to parking); and the Seattle Energy Code (long-term energy consumption). Earth-related impacts may result in the long-term and are mitigated by the Critical Areas Ordinance. The following is an analysis of the project’s possible impacts, including those associated with specific SEPA policies.

Earth

A geotechnical report for the subject property dated February 19, 2006 was submitted with the subdivision application. This report concluded that there is no sign of geotechnical distress on the site. The report also concluded that the proposed project “is geotechnically viable when constructed in accordance with the recommendations herein, compliance with City of Seattle DPD approved plans and requirements, and key geotechnical inspection during construction.” The geotechnical engineer noted: “If conditions are encountered during construction that appear to be different than those described in this report, this engineer should be notified to observe the situation and review and verify or modify the recommendations.” Due to the man-made grading

which has contributed to the steep slope, the engineer stated that this site qualifies for an exemption to the full ECA review process. DPD's geotechnical engineers have reviewed the report and approved a limited ECA exemption from steep slope development standards (March 7, 2006).

Plants and Animals

There are shrubs and deciduous trees located on the subject property, including maple, pine, and cedar. In the environmental checklist, the applicant states that most vegetation will be removed as required for the proper placement of the new structures. The applicant also indicated that there are no known endangered plant species on the site nor any birds or animals to have been observed on or near the site. During the staff site visit, songbirds were observed in trees near the project site.

Traffic and Parking

The Land Use Code requires each housing unit to have at least one off-street parking space. The parking will be provided within the proposed buildings. The Institute of Transportation Engineers (ITE) Manual estimates that a multifamily residence generates approximately six vehicle trips per day. The six trips per day per each proposed dwelling unit or estimated total of forty-two trips per day that will be generated will not be a significant increase to the total number of vehicle trips along 10th Place NE.

Summary

In conclusion, several adverse effects on the environment are anticipated as a direct impact of the proposed construction. However, specific impacts identified in the foregoing analysis have been mitigated by existing codes and ordinances, per adopted City policies. In addition, a few SEPA conditions have been added to the decision to provide additional mitigation.

DECISION – SEPA

This decision was made after review by the responsible official on behalf of the lead agency, of a completed environmental checklist and other information on file with the responsible department. This constitutes the Threshold Determination and form. The intent of this declaration is to satisfy the requirements of the State Environmental Policy Act (RCW 43.21C), including the requirement to inform the public agency decisions pursuant to SEPA.

[X] Determination of Non-Significance. This proposal has been determined to not have a significant adverse impact upon the environment. An EIS is not required under RCW 43.21C.030 2c.

[] Determination of Significance. This proposal has or may have a significant adverse impact upon the environment. An EIS is required under RCW 43.21C.030 2c.

CONDITIONS – SEPA

Prior to Issuance of Master Use Permit:

1. Include on the final plans the required corrections noted in the Land Use Plans Correction Notice dated October 4, 2006.
2. Indicate on the final plans the 14 on-street parking stalls that will be provided on 10th Place NE.

Signature: (signature on file) Date: November 9, 2006
Janet Hyde-Wright, Land Use Planner
Department of Planning and Development

JHW:bg

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